# File suit to upset blight declaration

NEWARK

A lawsuit challenging Newark's declaration of "blight" on a 74 - block area in the Central and South Ward was filed last week in Superior Court.

**Plaintiffs are seven Clinton residents who contend that much of the area is not blighted and that the project's boundaries were drawn to fit a predetermined use and not on the basis of existing conditions.**

Attorney Daniel Lubetkin of 9 Clinton St. filed the suit in behalf of Ellen and Clarence Webster, 732 Bergen St.; Mabel Lyons, 182 Ridgewood Ave., Anna and Aaron Frazier, 119 Ridgewood Ave., and Helen and Stanley Winters, 26 Shanley Ave.

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ALL OF the plaintiffs live within the blighted area except the Winters, who are officers in the Clinton Hill Neighborhood Council. The council's Save Our Homes Committee was an important force in publicizing the importance of questioning the city's plans.

Other groups which indicated opposition at public hearings are the Newark Branch, NAACP; Baptist Ministers Conference of Newark and Vicinity, South Ward Civic League, and Weequahic and Ironbound Community Councils.

The plaintiffs charge that the blocks lying between Hawthorne and Watson Avenues were added to the "blight" plan in the expectation that super - highway Route 78 would be built in the Watson Avenue area.

The suit further charges that East Ward Councilman Philip Gordon voted twice on the blight declaration, once as a member of the Central Planning Board and once as a city councilman. Councilman Gordon voted "yes" for blight each time.

Also called into question in the suit are the hearing procedures followed at both public hearings. The plaintiffs charge that no witnesses were sworn in; no cross-examination of witnesses took place; housing surveys were not made public; and that the City Council did not act within the 30 - days required by law after the Central Planning Board voted "blight" on Sept. 21.

Named as defendants are the City of Newark, the Central Planning Board, and the Newark Housing Authority.

NEWARK EVENING NEWS, FRIDAY, DECEMBER 15,

## Clinton Hill Action

# *Blight Declaration Is Basis of Suit*

Seven residents of Clinton Hill today instituted legal action to set aside the blight declaration on a 74-block area in Clinton Hill-Central Ward proposed for light industrial redevelopment.

In a suit filed in Superior Court, the plaintiffs charge that a substantial portion of the area is not blighted, and that the project, and that the propect boundaries were determined not by the conditions of the dwellings, but by the amount of land required to make industrial redevelopment economically feasible.

Named as defendants are the City of Newark, the Central Planning Board, and the Newark Housing Authority.

It is the first such suit filed against Newark authorities in the city's urban renewal program.

The suit was filed by Attorney Daniel Lubetkin, in behalf of Ellen and Clarence Webster of 732 Bergen St., Mabel Lyons of 182 Ridgewood Ave., Anna Aaron Frazier of 119 Ridgewood Ave., and Stanley and Helen Winterds of 26 Shanley Ave.

**President of Council**

Winters is president of the Clinton Hill Neighborhood Council which spearheaded opposition to the light industrial proposal.

The Central Planning Board held a public hearing in June 29; recommended a blight declaration Sept. 13, and the City Council concurred in the declaration Nov. 28. A blight declaration is required before the project can qualify for federal aid in site clearance.

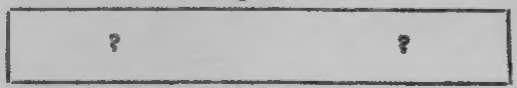
The suit contends that at the time of the public hearing, the area from Hawthorne Avenue south to Watson Avenue was included because of indications that Route 78 was going near Watson Avenue. The project boundaries are Bergen Street and 17th, Watson and Belmont Avenues.

The papers further charge that Councilman Philip Gordon, who is also a member of the planning board, should not have voted on the blight declaration as a councilman, and that such action renders the approval of the Council valid. Gordon voted for the blight declaration in both cases.

The plaintiffs also contend that the City Council did not act within a prescribed time of 30 days after receiving the blight recommendation from the planning board on Sept. 21.

The plaintiffs also charge that at the public hearings no witnesses were sworn; no cross-examination of witnesses took place; exhibits were introduced without examination; survey cards were not made public, and the existing condition survey did not accurately depict conditions in the area.

BLIGHT FIGHT NOT OVER!




(OVER)

Save Our Homes Committee
CLINTON HILL NEIGHBORHOOD COUNCIL
26 Shanley Avenue
Newark 8 New Jersey

Legal Fund

Dear Neighbor,

To fight the "blight" declaration on a 40-block section of Clinton Hill and Weequahic (see map other side), a lawsuit is necessary.

Residents of our neighborhood are acting as plaintiff. They need support.

The lawsuit questions the legality of the city's action in declaring the area "blighted." It is not concerned with the re-use of the area afterward. That is another matter.

If you believe that the people have a right to know whether the city acted legally, you will support the lawsuit. If you believe that the Housing Authority should be delayed in proceeding with condemnation of properties, you will back the suit.

At least $750.00 will be needed to conduct a suit in the Superior Court.

Give your contribution to the bearer of this letter.

Else mail it directly to the address above.

Make checks and money orders payable to "Clinton Hill Neighborhood Council." At the bottom or on the back, mark it "Legal Fund."

Do this now, while you think of it and while there is still time for us to "Save Our Homes" and businesses.

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Receipt

I hereby acknowledge the receipt of $_____

and _____ cents in the form of check / cash /

money order/ (cross out those which do not apply) from

Mr./ Mrs. / Miss _____

whose address is _____ to the Legal

Fund to support the lawsuit in Superior Court.

Date_____

_____
Name of solicitor